

REMARKS

I. Status of Claims

Claims 6, 7, 12 and 13 are currently pending in this application. Claim 5 is canceled in this Reply. Claims 6 and 12 are amended. The amendments are based on previously entered claims and therefore should not require additional search or consideration. Accordingly it is respectfully requested that the amendments be entered after the Final Rejection.

Both claim 6 and claim 12 now recite the length of the light-emitting coil of the incandescent filament being less than or equal to 4.4 mm, with external diameter being less than 2.3 mm which can be found on page 3, lines 18-21 of the specification and in both canceled claims 11 and 14, and now also recite that the dimension of the lamp vessel transverse to the longitudinal axis has a maximum value of 30 mm, which is found on page 2, lines 11-14 of the specification and in canceled claim 8.

Claims 6, 7 and 10 are rejected under 35 U.S.C. §102(b) as being anticipated by La Giusa et al. (U.S. Patent No. 4,041,344).

Claim 12 is rejected under 35 U.S.C. §102(b) as being anticipated by De Caro et al. (U.S. Patent No. 3983513).

II. Rejections under 35 USC § 102(b)

Claim 6 is rejected under 35 U.S.C. § 102(b) as anticipated by La Giusa et al (US Patent No. 4,041,344), hereinafter "La Giusa".

La Giusa discloses a halogen lamp (col. 5, line 25) having a transparent lamp vessel which is sealed off at one end (23) and at least one incandescent filament arranged within the lamp vessel (col. 3, lines 10-13), wherein a section of the lamp vessel is in the form of a reflector (ellipsoidal reflective portion 22) and is provided with a visible light-reflecting coating (coating 21), and wherein the lamp vessel is, apart from its sealed-off end, in the form of an ellipsoid, whose semimajor axis is arranged on the longitudinal axis of the lamp vessel (see Fig. 1 in comparison with Fig. 2 and text col. 2, lines 27-29), and a region of the lamp vessel which essentially corresponds to a half-shell of the ellipsoid is provided with the light-reflecting coating (21 on 22).

La Giusa does not disclose specifically that the dimension of the lamp vessel transverse to the longitudinal axis has a maximum value of 30 millimeters or that the length of the light-emitting coil of the incandescent filament is less than or equal to 4.4 mm, and its external diameter is less than 2.3 mm.

La Giusa therefore does not disclose a lamp of the dimensions disclosed in amended claim 6. Therefore the halogen incandescent lamp of claim 6 is novel.

Claims 7 and 13 being dependent on claim 6 are novel for at least the reasons given above.

Claim 12 is rejected under 35 U.S.C. § 102(b) as anticipated by De Caro et al (US Patent No. 3983513), hereinafter "De Caro".

De Caro discloses a halogen incandescent lamp (col. 1, lines 9-12) having a transparent lamp vessel which is sealed off at one end (col. 3, lines 59-65), and at least one incandescent filament arranged within the lamp vessel (col. 3, lines 65-69), wherein a section of the lamp vessel is in the form of a reflector and is provided with a visible light-reflecting coating (44); and wherein the lamp vessel is axially symmetrical with respect to a longitudinal axis of the lamp vessel, and the at least one incandescent filament is arranged on the longitudinal axis of the lamp vessel (see Fig. 3), the section of the lamp vessel which is in the form of a reflector being a ring-shaped section (44, col. 4, lines 10-24), which is connected to the sealed-off end (36) of the lamp vessel and whose ring axis is arranged on the longitudinal axis; and wherein the section of the lamp vessel which is in the form of a reflector is parabolic (col. 4, lines 19-23), the rotational axis of the paraboloid being arranged on the longitudinal axis, and the vertex of the paraboloid facing the sealed-off end of the lamp vessel.

De Caro does not disclose that the dimension of the lamp vessel transverse to the longitudinal axis has a maximum value of 30 millimeters or that the length of the light-emitting coil of the incandescent filament is less than or equal to 4.4 mm, and its external diameter is less than 2.3 mm.

De Caro therefore does not disclose a lamp of dimensions disclosed in amended claim 12. Therefore the halogen incandescent lamp of claim 12 is novel.

In further support of the patentability of the claimed subject matter, LaGiusa, col. 2, lines 66-68, states "The resultant lamp has a light center length approximately the same

as a standard incandescent lamp of the same wattage". Therefore starting from LaGiusa the person of ordinary skill in the art would not be led to reduce the dimensions of the halogen incandescent lamp of LaGiusa and thereby reproduce the subject matter of claim 6. Accordingly, we believe that, starting from LaGiusa, the person of ordinary skill in the art would not recreate or derive the subject matter of claim 6.

De Caro, meanwhile, col. 2, lines 48-50, states "The ferrules are provided with metal terminals 21 and 22 which facilitate connection of the lamp to the power supply of the car", while describing the lamp of Fig. 1. The lamp of Figure 1, described as a sealed-beam halogen lamp in col. 2, lines 19-22, is clearly interpretable from both the text and Fig. 1 as an ordinary car headlamp. Further, De Caro states, col. 3, lines 59-60, "A 40 watt 120 volt R12 type halogen-incandescent lamp embodying the invention is shown in Fig. 3". Therefore we believe that De Caro, in proposing both car headlamps and standard R12 lamps clearly does not lead the person of ordinary skill in the art to consider reducing the dimensions of the halogen incandescent lamps of De Caro. Accordingly, we believe that starting from De Caro, the person of ordinary skill in the art would not recreate or derive the subject matter of claim 12.

In conclusion neither LaGiusa or De Caro discloses that the dimension of the lamp vessel transverse to the longitudinal axis has a maximum value of 30 millimeters or that the length of the light-emitting coil of the incandescent filament is less than or equal to 4.4 mm, and its external diameter is less than 2.3 mm, as now recited in claims 6 and 12. Furthermore for reasons discussed above one of ordinary skill in the art would not recreate or derive the subject matter of these claims starting from either De Caro or LaGiusa in combination with each other or with other art.

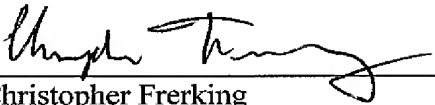
Accordingly, reconsideration and withdrawal of the rejection of claims 6, 7, 12 and 13 under 35 U.S.C. § 102(b) are respectfully requested.

III. Conclusion

In view of the foregoing remarks, Applicants respectfully request reconsideration of this application and allowance of the pending claims.

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Respectfully Submitted,

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